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FM AMEMBASSY KHARTOUM  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3166  
INFO RUCNIAD/IGAD COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RHMFISS/CJTF HOA

UNCLAS KHARTOUM 000307

DEPT FOR AF A A/S CARTER, AF/SPG, AF/E  
NSC FOR MGAVIN AND HUDSON  
DEPT PLS PASS USAID FOR AFR/SUDAN  
ADDIS ABABA ALSO FOR USAU

SENSITIVE  
SIPDIS

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [PINS](#) [ECON](#) [KPKO](#) [UNSC](#) [ASEC](#) [MARR](#) [MOPS](#) [SU](#)  
SUBJECT: GOSS MINISTER BENJAMIN ASSURES SAFETY OF INTERNATIONAL  
COMMUNITY IN THE SOUTH DESPITE ICC INDICTMENTS AGAINST BASHIR

¶1. (SBU) Summary: In a March 5th meeting with the international community in Juba, GOSS Minister for Regional Cooperation Barnabas Benjamin assured the international community that the GOSS has taken multiple steps to ensure their safety in the face of ICC indictments of GNU President Omar al Bashir. The Minister urged that NGOs and diplomatic missions continue with their activities, stating, "within our territory you are protected." Benjamin stated the GOSS position on the ICC was that the NCP must engage on the issue, that the SPLM is advising the NCP to cooperate with the international community, and that the indictments would not interfere with GOSS operations. End Summary.

¶2. (SBU) The Ministry of Regional Cooperation invited the diplomatic community and select NGOs in Juba to a meeting on the morning of March 5 to discuss the impact of ICC indictments against GNU President Omar al Bashir. Minister Barnabas Benjamin advised the community that the GOSS has taken multiple steps to ensure the safety of all, and urged all the organizations present to continue with their normal activities.

¶3. (SBU) Benjamin framed the ICC situation as a "legal issue." He said that the GOSS position was that the NCP must engage on the issue, and was advising that Bashir should cooperate with the international community on the indictments. Finally, the Minister said that the indictments would not interfere with GOSS operations.

¶4. (SBU) The Minister said that peaceful demonstrations against the indictments by the NCP and others in the South would be allowed, but only on their own property. Demonstrators would not be allowed to march in the streets.

¶5. (SBU) Consul General Juba asked the Minister about the purpose of the meeting GOSS President and GNU First Vice President Kiir had with GNU Vice President Ali Taha, who flew to Juba early on March 4th to confer with Kiir. Benjamin answered that Taha had tried to persuade Kiir to immediately return with him to Khartoum so he could stand with Bashir when the ICC announcement was made later that afternoon in order to show solidarity with the GNU President. Benjamin said Kiir reportedly answered Taha by asking, "Why should I go to Khartoum when General Tang is there being protected by you after what he did in Malakal? If you were serious about our partnership, he would be arrested." He then refused to travel back with Taha, and waited until after 4 pm to travel to Khartoum for the meeting with Bashir.

¶6. (SBU) Asked about the expulsion of NGOs from Sudan following the announcement of the arrest warrant, Benjamin said that the GOSS was not consulted about it and did not support the expulsions. This was, he said, not a GNU but an NCP decision. Asked if the GOSS would support the expulsions of these NGOs from Southern Sudan, Benjamin answered that the GOSS will not follow orders to expel them from the South, and they are welcome to stay and continue their work

here.

¶17. (SBU) Comment: The SPLM was not informed of the decision to expel NGOs and is irritated by this decision, especially since it will impact donor programming in the Three Areas. The GOSS has assured donors that registrations will immediately be provided for those NGOs that do not have separate registrations for the South, but this still does not solve the problem of the Three Areas. As of March 6, there were reports of HOC officials taking over NGO assets in Blue Nile and the Nuba Mountains, but not yet in Abyei. The SPLM should use its leverage with the NCP to seek continued access by expelled NGOs to the Three Areas, but Kiir is likely reticent to confront Bashir on this issue so soon after the ICC announcement. Over time it is possible that some accommodation may be reached. It is interesting that the NCP did not attempt to seize NGO assets in Abyei, as this would have been a provocation for the SPLM. But the NCP clearly wants to demonstrate that it controls Blue Nile and South Kordofan.

FERNANDEZ